

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

RICHARD LOGAN, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

PROPETRO HOLDING CORP., DALE
REDMAN, JEFFREY SMITH, IAN
DENHOLM, SPENCER D. ARMOUR, III,
SCHUYLER E. COPPEDGE, STEPHEN
HERMAN, MATTHEW H. HIMLER,
PETER LABBAT, GOLDMAN, SACHS &
CO., BARCLAYS CAPITAL INC.,
CREDIT SUISSE SECURITIES (USA)
LLC, J.P. MORGAN SECURITIES LLC,
EVERCORE GROUP L.L.C., RBC
CAPITAL MARKETS, LLC, PIPER
JAFFRAY & CO., RAYMOND JAMES &
ASSOCIATES, INC., DEUTSCHE BANK
SECURITIES INC., JOHNSON RICE &
COMPANY L.L.C., and TUDOR,
PICKERING, HOLT & CO. SECURITIES,
INC.,

Defendants.

Case No.: 7:19-cv-00217-DC

CLASS ACTION

**NOTICE OF NON-OPPOSITION OF UNITED FOOD AND COMMERCIAL
WORKERS INTERNATIONAL UNION LOCAL 464A AND THE TRUSTEES OF
LOCAL 464A UNITED FOOD AND COMMERCIAL WORKERS UNION WELFARE
SERVICE BENEFIT FUND, WELFARE AND PENSION FUNDS OF LOCAL 464A –
PENSION FUND, AND NEW YORK-NEW JERSEY AMALGAMATED
PENSION PLAN FOR ACME EMPLOYEES**

On November 15, 2019, Lead Plaintiff Movant United Food and Commercial Workers International Union Local 464A and the Trustees of Local 464A United Food and Commercial Workers Union Welfare Service Benefit Fund, Welfare and Pension Funds of Local 464A – Pension Fund, and New York-New Jersey Amalgamated Pension Plan for ACME Employees (collectively, “Local 464A”) timely filed a motion pursuant to the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), 15 U.S.C. §§ 77z-1(a)(3)(B), 78u-4(a)(3)(B), seeking: (1) appointment as Lead Plaintiff; and (2) approval of Local 464A’s selection of Kessler Topaz Meltzer & Check, LLP as Lead Counsel for the class and Siebman, Forrest, Burg & Smith, LLP as Liaison Counsel for the class (the “Motion”). *See* ECF No. 32.

The PSLRA provides that in selecting a Lead Plaintiff, courts shall adopt a presumption that the movant that asserts the largest financial interest in the relief sought by the class and otherwise satisfies the relevant requirements of Rule 23 of the Federal Rules of Civil Procedure (“Rule 23”) is the “most adequate plaintiff” to represent the class. *See* 15 U.S.C. §§ 77z-1(a)(3)(B)(iii), 78u-4(a)(3)(B)(iii). As set forth in the Motion, Local 464A suffered substantial losses of approximately \$411,885 under a last-in, first-out (“LIFO”) basis in connection with its transactions in ProPetro Holding Corp. securities during the Class Period and is otherwise adequate and typical in all respects. *See* ECF No. 32.

Based upon the representations made by the competing movants, it appears that Nykredit Portefølje Administration A/S, Oklahoma Firefighters Pension and Retirement System, Oklahoma Law Enforcement Retirement System, Oklahoma Police Pension and Retirement System, and Oklahoma City Employee Retirement System (together, the “Institutional Investors”) possess the largest financial interest in this litigation. *See* ECF No. 35-1. The Institutional Investors also

appear to satisfy the relevant requirements of Rule 23. *See id.* As such, Local 464A does not oppose the Institutional Investors' motion for appointment as Lead Plaintiff.

However, should the Court determine that the Institutional Investors are not adequate or typical, Local 464A remains willing and able to serve as Lead Plaintiff. This Notice is submitted without prejudice to Local 464A's right to participate in this litigation or share in any recovery from the resolution of this litigation through settlement, judgment, or otherwise.

Dated: November 22, 2019

Respectfully submitted,

**SIEBMAN, FORREST, BURG &
SMITH, LLP**

/s/ Clyde M. Siebman

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-and-

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Workers International Union Local 464A and
the Trustees of Local 464A United Food and
Commercial Workers Union Welfare Service
Benefit Fund, Welfare and Pension Funds of*

*Local 464A – Pension Fund, and New York-New
Jersey Amalgamated Pension Plan for ACME
Employees*

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of November 2019, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Clyde M. Siebman